

Statement of
The Honorable James L. Oberstar, Chairman
Subcommittee on Water Resources and Environment
Hearing on
“The Raw Sewage Overflow Community Right-to-Know Act”
October 16, 2007

Today, the Subcommittee will focus on the issue of public notification of sewer overflows, such as those provided in the Raw Sewage Overflow Community Right to Know Act.

Let me begin by congratulating our Committee colleague, Mr. Bishop, for introducing legislation to provide common-sense standards for public notification of both combined sewer overflows and sanitary sewer overflows. This well-thought-out legislation would be a welcome addition to Federal efforts in protecting public health as well as the natural environment.

The most reliable way to prevent human illness from waterborne diseases and pathogens is eliminate the potential for human exposure to the discharge of pollutants from combined sewer overflows (CSOs) and sanitary sewer overflows (SSOs). This can occur either through the elimination of the discharge, or, in the event that a release does occur, to minimize the potential human contact to pollutants.

Unfortunately, Federal law does not provide uniform, national standards for public notification of combined and sanitary sewer overflows. Notification of sewer overflows is covered only by a patchwork of Federal regulations, state laws, and local initiatives aimed at limiting human exposure to discharges.

Potential human exposure to the pollutants found in sewer overflows can occur in a variety of ways. According to EPA, the most common pathways include direct contact with sewer discharges in recreational waters and beaches, drinking water contaminated by sewer discharges, and consuming or handling contaminated fish or shellfish. However, humans are also at risk of direct exposure to sewer overflows, including sewer backups into residential buildings, city streets, and sidewalks.

Just last week, in my own Congressional district, basements and city streets across the City of Duluth were flooded with sewer overflows that resulted from massive rainstorms in the Lake Superior basin. The Western Lake Superior Sanitary Sewer District reported at least 7 major sewage overflows in its service area, with reports of numerous additional backups into local streets and basements.

The cost of eliminating CSOs and SSOs throughout the nation is staggering. In its most recent Clean Water Needs Survey (2000), EPA estimated the future capital needs to address existing CSOs at \$50.6 billion. In addition, EPA estimates that it would require an additional \$88.5 billion in capital improvements to reduce the frequency of SSOs caused by wet weather and other conditions.

Upon being elected Chairman of this Committee, I made it a priority to renew the Federal commitment in addressing the nation's wastewater infrastructure needs. In February,

the Committee approved two bills – H.R. 720, the Water Quality Financing Act and H.R. 569, the Water Quality Investment Act – to reauthorize appropriations for the construction, repair, and rehabilitation of wastewater infrastructure, including measures to address CSOs and SSOs. H.R. 720 authorizes appropriations of \$14 billion over four years for the Clean Water State Revolving Fund, which is the primary source of Federal funds for wastewater infrastructure. H.R. 569 authorizes appropriations of \$1.7 billion in Federal grants over five years to address combined sewers and sanitary sewers. Both bills were approved by the House in March, 2007 and are pending before the United States Senate.

However, even with significant increases in federal, state and local investment, it is likely that sewer overflows will continue. In the event that a release does occur, the most effective way to prevent illness is to provide timely and adequate public notice to minimize human exposure to pollutants.

Today's hearing will explore the issue of public notification further. This afternoon, the Subcommittee will receive testimony from several communities that have voluntarily initiated a public notification program. Yet, we should strongly consider whether we can replicate these successful programs nationwide so that all citizens can be informed of local sewer overflows.

Again, I applaud Mr. Bishop for introducing this common-sense legislation to ensure that our citizens are made aware of the potential public health threats caused by sewer overflows.

I welcome the witnesses here this afternoon, and look forward to their testimony.

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